

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2017 MAY 19 PM 12:15

CLERK'S OFFICE
AT GREENBELT

Case No. 17FM17CV1387 DEPUTY

JUAN JOSE CENTENO

Plaintiff,

v.

DIVERSE MASONRY CORPORATION

Defendant.

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NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§1331, 1441, and 1446, Defendant, Diverse Masonry Corporation, by and through counsel, hereby removes the civil action captioned as Juan Jose Centeno v. Diverse Masonry Corporation filed in the Circuit Court for Anne Arundel County, Maryland as Case No. C-02-CV-17-000842 to the United States District Court for the District of Maryland on the following grounds:

1. On March 24, 2017, the Plaintiff named herein filed suit against Defendant, Diverse Masonry Corporation, in the Circuit Court for Anne Arundel County, Maryland in Case No. C-02-CV-17-000842.

2. Count I of the state court complaint seeks overtime compensation under the Fair Labor Standards Act (29 U.S.C. §201 *et seq.*).

3. This court has jurisdiction over the action pursuant to 28 U.S.C. §1331 in that Count I arises under the laws of the United States.

5. Counts II and III of the state court complaint seek compensation under Maryland state laws. These claims arise out of the same operative facts as the claims based on United

States law and form part of the same case or controversy. Consequently, this court has supplemental jurisdiction over these claims pursuant to 28 U.S.C. §1367.

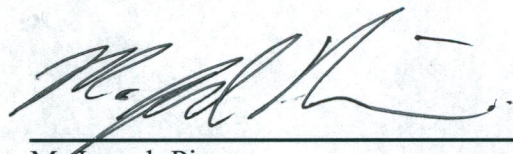
6. Defendant was served with the state court complaint on April 19, 2017. Removal is therefore timely under 28 U.S.C. §1446.

7. In accordance with 28 U.S.C. §1446, a copy of the complaint served on Defendant is attached as Exhibit 1. A copy of the summons served with the complaint is attached as Exhibit 2. The Civil Case Information Sheet filed by Plaintiff is attached as Exhibit 3. A copy of the Answer filed by Defendant is attached as Exhibit 4. No other process, pleadings, papers or orders have been served on Defendant.

8. Concurrent with the filing of this Notice of Removal, a copy is being served on counsel for Plaintiff and filed with the Circuit Court of Anne Arundel County.

WHEREFORE, Defendant, Diverse Masonry Corporation, respectfully requests that this matter be removed from the Circuit Court for Anne Arundel County Maryland to the United States District Court for the District of Maryland.

Respectfully Submitted,

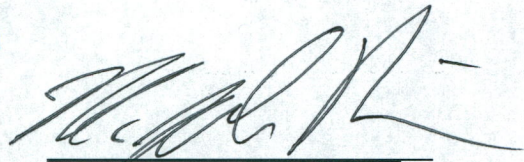


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Counsel for Defendant Diverse Masonry

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 19th day of May, 2016, the foregoing Notice of Removal was served by email and via first class mail, postage pre-paid, to counsel of record for Plaintiff as follows:

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M. Joseph Pierce